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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,738	06/23/2003	Volker Pretzlaff	KOA 0234 PUS (R 1381)	7534
22045	7590	06/14/2005	EXAMINER	
BROOKS KUSHMAN P.C. 1000 TOWN CENTER TWENTY-SECOND FLOOR SOUTHFIELD, MI 48075			NGUYEN, NAM V	
			ART UNIT	PAPER NUMBER
			2635	

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/601,738	Applicant(s) PRETZLAFF ET AL.	
	Examiner Nam V. Nguyen	Art Unit 2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-8,10,11,13-16 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-8,10,11,13-16 and 18-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This communication is in response to applicant's Amendment which is filed February 23, 2005.

An amendment to the claims 1-4, 6-9, 11-13, 15, and 17-19 has been entered and made of record.

Claims 4, 9, 12 and 17 are cancelled.

Claims 1-3, 5-8, 10-11, 13-16 and 18-20 are pending.

### ***Response to Arguments***

In view of applicant's amendment to amend the claims 1-3, 5-8 and 19 to obviate the §112 1<sup>st</sup> and 2<sup>nd</sup> paragraphs rejections, examiner has withdrawn the rejection of Claims 1, 5-8 and 19 under 35 U.S.C §112, 1<sup>st</sup> and 2<sup>nd</sup> paragraphs.

Applicant's amendment and arguments with respect to claims 1-3, 5-8, 10-11, 13-16 and 18-20, filed February 23, 2005 have been fully considered but are moot in view of the new ground(s) of rejection.

***Claim Objections***

Claim 8 is objected to because of the following informalities: Claim 8 is a dependent claim, however, Claim 8 as currently amended is not depend on any claim. It is suggested to change claim 8 to depend on claims 6 or 7.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 2, the phrase "the at least two transceivers includes a third transceiver" is confusing and unclear. It is not understood what is meant by such a limitation. Which of the at least two transceiver includes a third transceiver? Is the system or a base module includes a third transceiver? Where is this limitation supported by specification?

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

Art Unit: 2635

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-8, 10-11, 13-16, 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over King (PG-PUB# 2002/0067826) in view of Rohrberg (US# 6,661,250) and in view of Kobayashi (US# 6,686,908).

Referring to claims 1, 6, 11 and 13, King discloses a keyless authorized access control system (10) (i.e. a vehicle transmitter system) (page 1, paragraph 0005; see Figures 1 and 2), the system (10) comprising:

at least two receivers (not shown) (i.e. a receiving circuitry of garage door opener and a home security system), each receiver being assigned to a respective object (44a and 44b) (i.e. 44a to a receiving system of a garage door opener and 44b to a receiving system of a home security) (page 2, paragraph 0018; see Figures 1 and 2); and

an identification device (12) (i.e. a trainable transmitter) having a base module (30) (i.e. a code generation circuitry of an identification 12) operable to communicate commands to the receivers (i.e. receivers of a security systems) assigned to the objects (44a and 44b) (i.e. a garage door and a home security system) (i.e. (page 2 paragraph 0010 to page 3 paragraph 0014; page 2 paragraph 0020; see Figure 2);

the identification device (12) further having at least two object modules (14a to 14e) (i.e. data modules), each object module (14a) being assigned to a respective one of the objects (44a) (i.e. a garage door) and each object module (14a) having a memory chip (not shown) (i.e. ROM chip) containing a code (i.e. a single digital code) attuned to the assigned object (44a) (page 1 paragraph 0011; page 2 paragraph 0020; see Figures 1-2);

Art Unit: 2635

each object module (14a) (i.e. data module) being interchangeably connected to the base module (30) through a respective interface (22 and 18) (i.e. connectors) (page 1 paragraph 0012; page 2 paragraph 0018; see Figures 1-2);

each object module (14a) (i.e. data module) operable for activating the base module (30 and 36-38) (i.e. a transmitting circuitry in an identification 12) to communicate to the receiver (i.e. receivers of a security systems) assigned to the object (44a and 44b) that is assigned to the object module (14a) a command having the code attuned to the assigned object (44a) when the object module (14a) is connected through the respective interface (22) to the base module (30 and 36-38) (page 1 paragraph 0011; page 2 paragraph 0020; see Figures 1-2).

However, King did not explicitly disclose the system includes at least two transceivers and each object module having a button.

In the same field of endeavor of remote control system, Rohrberg et al. disclose the system (10) (i.e. a remote control system) includes at least two transceivers (156) (i.e. secondary transceiver of external devices such as garage doors, security gates and burglar alarms) (column 11 lines 6 to 36; see Figures 1, 5 and 26) in order to activate external devices and able to transmit an information pulse train back to the remote transceiver.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize using a transceiver in external devices of Rohrberg et al. in a receiving circuitry of a home security system and garage door opener of King because using a transceiver would improve the reliable communication that has been shown to be desirable in the receiving circuitry of a remote control system of King.

In the same field of endeavor of input remote control device, Kobayashi teaches that each object module (2a and 2b) (i.e. IC cards) having a button (20) (i.e. mark) operable for activating the base module (1) (i.e. a body of a key input device) to communicate to the transceiver (i.e. transceiver of a network 44 and 45) in order to generate and to transmit a code signal corresponding to its key.

One of ordinary skilled in the art recognizes the need to have a remote unit includes a plurality of buttons in IC card to transmit a code signal of Kobayashi in a trainable transmitter of King in view of Rohrberg et al. because King suggests it is desired to provide that a transmitter has plurality of user-activated switches to generate a digital code to operate plurality of functions in different security systems (page 2 paragraphs 0017 to 0018) and Rohrberg et al. furthermore suggests it is desired to have a production transmitter installed in a console of a vehicle to simplify removal and to replace easily (column 12 lines 7 to 25; see Figures 27-28) and Kobayashi teaches that an IC card includes plurality of buttons to generate and to transmit a code signal when characters or numerals is pushed and when this IC card is inserted into the key input device (column 3 line 56 to column 4 line 62; see Figures 1 to 6) in order to provide a universal key input device that has various different uses according to the mounted IC card. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to have a remote unit includes a plurality of buttons in IC card to transmit a code signal of Kobayashi in a trainable transmitter of King in view of Rohrberg et al. with the motivation for doing so would have been to transmit a code signal corresponding to its pushed button in a trainable transmitter of a vehicle transmitter system.

Referring to Claims 2, 7 and 15, King in view of Rohrberg et al. and in view of Kobayashi disclose the system and the device as recited in claims 1, 6 and 13, King discloses the third transceiver (not shown) (i.e. a data module 14c to 14e for other different security system (page 1 paragraph 0010 to 0012; see Figure 1) and Kobayashi discloses the base module (1) (i.e. a key input device) has a memory chip (8) (i.e. a RAM chip) with a code (i.e. a program code) attuned to one of the third objects, the base module (1) is operable for communicating to the third transceiver a command having the code attuned to the third object (column 4 line 63 to column 5 line 62; see Figures 1-7).

Referring to Claims 3, 8 and 18, King in view of Rohrberg et al. and in view of Kobayashi disclose the system and the device as recited in claims 2, 6 and 13, King discloses wherein the base module (12) has a button (34a or 34b) (i.e. a user input switch) operable for activating the base module (12) to communicate the codes to the transceivers (i.e. transceiver of 44a or 44b) assigned to the respective objects (44a and 44b) (i.e. a garage door and a home security) (page 2 paragraphs 0017 to 0018; see Figures 1-2).

Referring to Claims 5, 10 and 20, King in view of Rohrberg et al. and in view of Kobayashi disclose the system and the device as recited in claims 1, 6 and 13, wherein: each object module (14a to 14e or 16) (i.e. a data module) has an electronic subassembly (i.e. a cartridge) relating to the assigned object for carrying out object-specific communication with the transceiver assigned to the assigned object (page 1 paragraphs 0010 to 0011; page 2 paragraph 0021; see Figures 1-2).



Referring to Claim 14, King in view of Rohrberg et al. and in view of Kobayashi disclose the system as recited in claim 13, King discloses wherein the base module (12) has at least two receptacles (20 and 22) (i.e. electrical connectors) with each receptacle receiving one of the object modules (14a and 14b) in order to interchangeably connect the object modules (14a to 14e) to the base module (12) through the respective interfaces (20 and 22) (i.e. sockets for interface) (page 1 paragraphs 0010 to 0013; see Figure 1).

Referring to Claim 16, King in view of Rohrberg et al. and in view of Kobayashi disclose the system as recited in claim 13, King discloses wherein the object module (14a) and the base module (12) have corresponding plug-and-socket connectors (20 and 22) (i.e. a socket) in order to interchangeably connect the object module (14a) to the base module (12) (page 1 paragraphs 0010 to 0013; see Figure 1).

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over King (PGPUB# 2002/0067826) in view of Rohrberg (US# 6,661,250) and in view of Kobayashi (US# 6,686,908) as applied to claim 18 above, and in further view of Eklind et al. (US# 6,374,164).

Referring to claim 19, King in view of Rohrberg and in view of Kobayashi disclose the system as recited in claim 18, however, King in view of Rohrberg and in view of Kobayashi did not explicitly disclose at least two buttons are ergonomically different from one another to enable a user to distinguish the buttons without viewing the buttons.

In the same field of endeavor of remote control device for a vehicle, Eklind et al. teach that at least two buttons (7 to 13) (i.e. pushbuttons) are ergonomically different from one another to enable a user to distinguish the buttons (7 to 13) (i.e. pushbuttons) without viewing the buttons (7 to 13) (i.e. pushbuttons) (column 2 line 23 to column 3 line 17; see Figures 2-4) in order to operate different functions that is intended to be operated in the vehicle without difficulty.

One of ordinary skilled in the art recognizes the need to have different shape and location of pushbutton in a remote control device of Eklind et al. in transmitter of King in view of Kobayashi because King suggests it is desired to provide that the transmitter has plurality of switches to operate plurality of functions in different security systems (page 2 paragraphs 0017 to 0018) and Eklind et al. teach that a remote control device has pushbutton with different shapes and location (column 2 line 23 to column 3 line 17) in order to avoid pressing a wrong button when pressing the pushbutton in a bad lighting. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to have different shape and location of pushbutton in a remote control device of Eklind et al. in transmitter of King in view of Kobayashi with the motivation for doing so would have been to provide an individual control device arranged differently in shape and location to avoid the risk of pressing the wrong button.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 571-272-3061. The examiner can normally be reached on Mon-Fri, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 571-272-3068. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9314 for After Final communications.

Art Unit: 2635

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nam Nguyen  
June 12, 2005



BRIAN ZIMMERMAN  
PRIMARY EXAMINER